

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

In re:

Avantair, Inc.

Case No. 13-09719-CPM

Involuntary Chapter 7

Debtor.

**DECLARATION UNDER PENALTY OF PERJURY IN
SUPPORT OF INTERIM CHAPTER 7 TRUSTEE'S
EMERGENCY MOTION TO PROHIBIT ACCESS TO PREMISES**

I, BETH ANN SCHARRER, as interim Chapter 7 Trustee for the bankruptcy estate of Avantair, Inc. ("Trustee"), declare as follows:

1. At 9:00 a.m. on Saturday, August 3, 2012, I went to the premises located at 4311 General Howard Drive, Clearwater, Florida 33762 (the "Premises"), with the intention of securing the Premises.
2. When I arrived, the Premises were unlocked.
3. There are approximately 30 exterior doors into the Premises, as well as larger hangar doors.
4. Many of the doors to the Premises are not locked.
5. The Premises consist of hangar space, as well as various sections of office space.
6. Avantair, Inc.'s (the "Debtor"), business records, as well as a substantial amount of office furniture and computer equipment is located at the Premises.
7. It appears that some offices and areas within the Premises have been emptied.
8. In the hangar area of the Premises, it appears there are 11 airplanes. Four of these airplanes do not have engines. The other seven aircraft are complete and intact.

9. From my visual inspection of the Premises and the dates on pieces of mail that were left open in various offices, it appears that the Debtor's employees have been on the Premises as recently as yesterday or today.

10. To gain access to the Premises, one must first go through a security checkpoint, which requires either a magnetic access card (which it appears most employees were provided) or requesting clearance from the manned security guard at the entrance gate.

11. To secure all of the doors to the Premises, as well as the hangar doors, the locksmith has estimated the cost will be between \$500 and \$1,000.00.

Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury under the law of the United States of America that the foregoing is true and correct.

Executed this 3rd day of August, 2013 in Clearwater, Florida.

/s/ **Beth Ann Scharrer**
BETH ANN SCHARRER